



DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK
ENVIRONMENTAL ASSESSMENT AND REVIEW

Amanda M. Burden, A.I.C.P., *Director*
Department of City Planning

NEGATIVE DECLARATION

May 10, 2004

Project Identification

CEQR No. 04DCP053M
(Formally SEQR No. 04-023)
ULURP Nos. 040443 ZMM
040444 ZSM
040445 ZSM
SEQRA Classification: Type I

Lead Agency

City Planning Commission
22 Reade Street
New York, NY 10007
Contact: Robert Dobruskin
(212) 720-3423

Name, Description and Location of Proposal:

Harlem Park

The proposal involves an application by 1800 Park Avenue, LLC for the following actions in connection with the "Harlem Park" development:

- an amendment to the City Zoning Map to change C4-4, R7-2, and R7-2/C1-2 districts to a C4-7 zoning district;
- a special permit pursuant to ZR Section 74-721 to modify regulations regarding height and setback and aggregate street wall in C4-7 districts; and
- a special permit pursuant to ZR Section 74-53 to permit a public parking garage in a C4-7 district.

The proposed actions would facilitate a proposal by the applicant to construct a 569,000 square foot, 42-story, predominantly commercial building known as Harlem Park, on a site ("the project site") located at 1800-1816 Park Avenue, 53-81 E. 124th Street, and 66-86 E. 125th Street (Block 1749, Lots 24, 31, 33, 35, 40, and 43) in the East Harlem neighborhood of Manhattan, Community District 11. The project site contains 53,486 square feet of lot area and is located in C4-4 and R7-2/C1-1 zoning districts. It is currently occupied by two low-rise (2 and 5 story) buildings used as classroom and

Robert Dobruskin, *Director*
James Merani, *Deputy Director*
22 Reade Street, New York, N.Y. 10007-1216 Room 4E (212) 720-3420
FAX (212) 720-3495
nyc.gov/planning

administrative space by the New York College of Podiatric Medicine and a 110-space accessory surface parking lot used by the College.

Under the proposed actions the parking lot portion of the site (Lots 31, 33, 35, 40, and 43) would be redeveloped with a building containing 230 hotel rooms; 125,000 square feet of office space; 54,000 square feet of retail space; approximately 100 residential units; and a 369-space, below-grade public parking garage. Construction of the building is expected to be completed by 2006. The existing college building, located on Lot 24, would remain.

To avoid any potential impacts associated with noise an (E) designation for noise will be placed on Block 1749, Lots 31, 33, 35, 40 and 43 as part of the proposed rezoning. The text of the (E) designation for noise is as follows:

In order to ensure an acceptable interior noise environment, future residential uses must provide a closed window condition with a minimum of 35 dB(A) window/wall attenuation on all facades in order to maintain an interior noise level of 45 dB(A). In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning or air conditioning sleeves containing air conditioners or HUD-approved fans.

In addition to the CPC actions listed above, the IDA will be considering the granting of financial assistance to this project. Therefore, CPC is conducting a coordinated review with IDA as an involved agency.

Statement of No Significant Effect:

The Environmental Assessment and Review Division of the Department of City Planning, on behalf of the City Planning Commission, has completed its technical review of the Environmental Assessment Statement dated May 7, 2004, prepared in connection with the ULURP Application (040443 ZMM, 040444 ZSM, 040445 ZSM). The City Planning Commission has determined that the proposed action will have no significant effect on the quality of the environment.

Supporting Statements:

The above determination is based on an environmental assessment which finds that:

1. A Phase I Environmental Site Assessment (ESA) was prepared in July 2003 for the properties under the control of the applicant located at 1800-1816 Park Avenue, 53-81 E. 124th Street, and 66-86 E. 125th Street (Block 1749, Lots 24, 31, 33, 35, 40, and 43). The Phase I ESA was reviewed by DEP's Office of Environmental Planning and Assessment, and a restrictive declaration was recommended, as stated in a memo by DEP, on April 30, 2004, due to the potential presence of hazardous material on the site as a result of past and present

land uses at the applicant's site and on adjacent sites. The declaration requires the Phase II testing would occur and is binding upon the property's successors and assigns. The declaration serves as a mechanism to assure the potential for hazardous material contamination that may exist in the sub-surface soils and groundwater on the applicant's sites would be characterized prior to any site disturbance (i.e., site grading, excavation, demolition, or building construction).

A restrictive declaration has been prepared and executed which requires the preparation of a hazardous materials sampling protocol including a health and safety plan, which would be submitted to the Department of Environmental Protection (DEP) for approval. The declaration establishes an agreement to test and identify any potential hazardous material impacts pursuant to the approved sampling protocol and, if any such impact is found, submit a hazardous material remediation plan including a health and safety plan to DEP for approval. If necessary, remediation measures would be undertaken pursuant to the remediation plan.

The restrictive declaration also restricts the manner in which the property may be developed or redeveloped, by requiring the sampling protocol and remediation measures to serve as a condition precedent to any change of use in any such development or redevelopment of the property.

These measures would ensure that no significant adverse impact related to hazardous material would occur.

2. No other significant adverse effects on the environment which would require an Environmental Impact Statement are foreseeable.

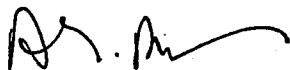
This Negative Declaration has been prepared in accordance with Article 8 of the Environmental Conservation Law 6NYCRR part 617.

Should you have any questions pertaining to this Negative Declaration, you may contact Katherine Bucke at (212) 720-3493.



Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning

Date: 5/7/04



Amanda Burden, AICP, Chair
City Planning Commission

Date: 5/10/04